

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

Civil Case# 12 – cv 12020

Residential Capital, LLC, et al
Debtor

v.

U.S. Trustee -United States Trustee
33 Whitehall Street
21st Floor
New York, NY 10004
(212) 510-0500

Claims and Noticing Agent
Kurtzman Carson Consultants
2335 Alaska Ave
El Segundo, CA 90245

FILED
U.S. BANKRUPTCY COURT
2012 SEP 25 P 1:53
S.D. OF N.Y.

Claim(s) made Kenneth Taggart, and others similarly situated

**Motion to Remove Mortgage Loan alleged by Kenneth Taggart from Assets of
GMAC Mortgage, LLC & Motion to Prove Ownership of Mortgage Assets
(Mortgages & Notes) Kenneth Taggart Dispute Asset(s) of GMAC Mortgage, LLC.
& Memorandum Law in Support of Motions**

Taggart Disputes GMAC Mortgage, LLC's Ownership of Mortgage Loan(s)

Kenneth Taggart, Pro Se, disputes the asset(s) of GMAC Mortgage, LLC regarding the claim that is alleged by GMAC Mortgage, LLC against Kenneth Taggart. GMAC Mortgage, LLC *alleges* that it owns or has an interest in a mortgage loan on a property that is owned by Kenneth Taggart, located at: 521 Cowpath Rd, Telford, Pa 18969 (Montgomery County Pennsylvania). Kenneth Taggart disputes that GMAC Mortgage, LLC owns the mortgage loan or note, or has any interest in loan at the property owned by Kenneth Taggart.

I. Kenneth Taggart disputes that GMAC Mortgage, LLC has not proven that the mortgage loan in question is in fact an asset of GMAC Mortgage, LLC.

A. GMAC Mortgage, LLC has failed to prove: 1) *ownership* of the said mortgage Loan (chain of title, legal assignments, recording System, etc.), 2) have not provided proof they are (and were) servicer of the mortgage loan or *legal right to collect payments* now or any of the payments they have collected during the course of the loan, 3) alleged loan is not an asset as GMAC Mortgage, LLC lacks the standing to enforce alleged ownership in a mortgage or note due to fraud, faulty assignments, fraudulent robo-signed affidavits, and the faulty recording and assignment system known as "MERS" or The Mortgage Electronic Registration Systems, Inc.

B. Taggart also asserts and alleges all assertions, pleadings, and claims made in the "Adversary Proceeding" filed with this court that, inter alia , 1) GMAC Mortgage, LLC does not own the note or mortgage, 2) has no standing to enforce the note or mortgage, or 3) even has proven that it is servicer of the loan, or authorized to collect any payments for alleged mortgage.

Conclusion

For the foregoing reasons, the alleged mortgage loan in question should be removed from the asset(s) listed by the bankruptcy court regarding their assets. Furthermore, all mortgages in which GMAC Mortgage, LLC alleges interest, but are not able to prove they are in fact assets of GMAC Mortgage, LLC should be removed from their assets listed with this Bankruptcy Court. A hearing date of October 10, 2012 is requested.

Kenneth Taggart

September 25, 2012

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ORDER

AND NOW, this _____ day of _____, 2012, upon consideration of

Defendant, Kenneth J Taggart's, "Motion to Remove Assets" dated September

25, 2012, any response thereto,

It is Ordered that Defendant's **Motion is GRANTED** .

All claims by GMAC Mortgage, LLC regarding Kenneth Taggart
& the property located at: 521 Cowpath Rd, Telford, Pa 18969 (Montgomery County,
Pennsylvania) shall be removed from Assets presented to the court and public records. It is
further ordered, that **all claims** against Kenneth Taggart & the property located at: 521 Cowpath
Rd, Telford, Pa 18969 (Montgomery County, Pennsylvania) shall be **dismissed with Prejudice**
for failure to show ownership of said asset or claim.

BY THE COURT:
